

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DS Services of America, Inc.  
Employer

and

Case 19-RC-243327

Teamsters Union Local No. 206  
Petitioner

ORDER

The Employer's request to stay all proceedings and its Request for Review of the Regional Director's denial of its motion to stay all proceedings are denied. This order does not preclude the Employer from raising issues related to the impact, if any, of OR. REV. STAT. § 659.785, in any post-election proceedings.<sup>1</sup>

JOHN F. RING, CHAIRMAN

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., July 26, 2019.

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<sup>1</sup> Chairman Ring and Member Kaplan express no view with respect to whether they agree or disagree with the revisions made by the Board's Election Rule, but they agree that it applies here and warrants denial of the Employer's request to stay the election.

Chairman Ring and Member Kaplan acknowledge that *Independence Residences*, 355 NLRB 724 (2010), is extant precedent, and that it supports denying the stay. They would be willing to reexamine that precedent in an appropriate post-election proceeding.